

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KEITH MALLORY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:13CV363RWS
)	(TIA)
CAROLYN W. COLVIN, ¹)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court, sua sponte, upon review of the file. The case was referred to the undersigned for a report and recommendation pursuant to 28 U.S.C. § 636(b). The suit involves Applications for Disability Insurance Benefits under Title II of the Social Security Act and for Supplemental Security Income under Title XVI of the Act.

On September 19, 2013, the undersigned entered an Order directing Plaintiff to inform the Court, in writing, whether he intends to pursue his claims based solely on the allegations made in his Complaint, or whether he wishes to pursue his claims by way of a separate Brief in Support of Complaint. The record shows that Plaintiff failed to comply with the Order.

On November 6, 2013, the undersigned entered an Order directing Plaintiff to inform the Court, in writing, whether he intends to pursue his claims based solely on the allegations made in his Complaint, or whether he wishes to pursue his claims by way of a separate Brief in Support of Complaint. On November 15, 2013, Plaintiff filed a memorandum asking “the Courts to grant me

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is therefore substituted for Michael J. Astrue as the Defendant in this action.

full disability benefits and back pay, because the Administration Judge (“ALJ”) erred in his decision to deny benefits.” The undersigned construes this memorandum to be a request to pursue his claims based solely on the allegations made in his Complaint. Accordingly,

IT IS HEREBY ORDERED that no later than December 27, 2013, Defendant shall file a brief in support of the Answer.

/s/Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 27th day of November, 2013.